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C O N F I D E N T I A L SECTION 01 OF 02 BANGKOK 007398

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TAGS: PREL PGOV PHUM KDEM TH

SUBJECT: EAP DAS JOHN'S MEETING WITH LEGISLATURE VICE
PRESIDENT

Classified By: Ambassador Ralph L. Boyce, reason: 1.4 (b) and (d).

SUMMARY

¶1. (C) A top legislator assured visiting EAP DAS John that the parliament would work effectively with the Constitution Drafting Committee to establish the legal framework for Thailand's next elections. In a December 8 meeting, National Legislative Assembly (NLA) Vice President Charan Kullavanijaya told DAS John that the NLA was an independent body more able to serve the nation's interests than elected politicians. The Constitution Drafting Assembly would likely use the 1997 Constitution as a model for Thailand's next charter, but Charan also believed the 1974 and 1978 versions worth considering. DAS John offered USG assistance to the Thais in the form of expertise on constitutional issues, and Charan said he would convey this offer to the constitution drafting body. End Summary.

DEFENDING AN APPOINTED LEGISLATURE

¶2. (C) NLA Vice President Charan Kullavanijaya opened his December 8 meeting with EAP DAS John by lauding the coup leaders' decision to establish an appointed legislature. When prior legislatures consisted of politicians tied to political parties, he noted, these people thought of their parties' interests. Now, however, thanks to an appointment system that benefited from the wisdom of the King, the parliament consisted of people who thought only of the country's interests.

¶3. (C) Nevertheless, Charan admitted, legislators might have various ways to interpret what was in the country's interest. Opposition to a recent administration-sponsored bill to preserve a state-run lottery had shown the NLA would debate the pros and cons of legislation, rather than acting as a rubber stamp for the administration. Charan characterized the NLA as "very independent" of the executive branch, noting there was no figure who acted as a whip to lobby legislators for the government's position.

¶4. (C) DAS John asked whether the performance of the NLA might affect the Thai public's willingness to accept an appointed Senate, if this were to be the model selected by constitution drafters. Charan replied indirectly, claiming that the Thai society valued a form of democracy different from Western traditions. Thai democracy relied upon guidance of the King, who not only held the position of head of state, but also was wise and widely loved. The Palace was capable

of selecting the best people to serve the country, Charan said. The NLA was able to represent the people well, as its members came from all walks of life, from various regions, and they had many networks they could tap for information. He implied that a Senate with appointed members, rather than elected ones, would be equally legitimate.

VIEWS ON THE CONSTITUTION

¶ 15. (C) Charan expressed confidence that the members of the National People's Assembly, which would soon convene to form the Constitution Drafting Assembly (CDA), would also be guided by selfless patriotism rather than special interests. Signaling USG interest in a speedy return to democratic governance, DAS John asked whether Charan was confident that the constitution drafting process would complete its work in sufficient time for elections within one year of the coup. Charan said he could not offer full assurances on this point, but he noted that the NLA would maintain close unofficial contacts with the CDA and work on enabling legislation for the elections in a parallel process, while the constitution drafting proceeded. Charan also noted that the interim constitution implied, but did not compel, that the 1997 Constitution be the starting point for the constitution drafters. However, the 1974 and 1978 constitutions also provided worthy examples, Charan opined.

MEDIA FREEDOM

¶ 16. (C) DAS John asked whether the NLA had media freedom on its agenda. Charan saw no need for the NLA to work actively on press freedom, saying the Thai media already was free to

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criticize the government. Unlike deposed Prime Minister Thaksin, who reacted harshly to press criticism, Prime Minister Surayud Chulanont was receptive to advice.

OFFER OF EXPERTISE

¶ 17. (C) DAS John noted that, given the longstanding friendship between the U.S. and Thailand, the USG was prepared to offer assistance to help ensure a speedy return to democratically-elected government, such as expertise on constitutional issues. Charan welcomed this offer and said he would convey it to the Constitution Drafting Committee (a subgroup of the CDA).

¶ 18. (U) DAS John has cleared this cable.
HANSEN